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11 Attorney for Jimmy Carter Kim

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 UNITED STATES OF AMERICA,

15 Plaintiff,

v.

16 JIMMY CARTER KIM,

17 Defendant.

18 Case No. 2:18-mj-00836-CWH

19 **STIPULATION TO CONTINUE**
20 **PRELIMINARY HEARING**
21 (Fifth Request)

22 IT IS HEREBY STIPULATED AND AGREED, by and between
23 Nicholas A. Trutanich, United States Attorney, and Christopher Burton, Assistant United
24 States Attorney, counsel for the United Stated of America, and Rene L. Valladares, Federal
25 Public Defender, and Rebecca A. Levy, Assistant Federal Public Defender, counsel for
26 Jimmy Carter Kim, that the Preliminary Hearing currently scheduled on Friday, July 19, 2019
at 4:00 p.m., be vacated and continued to a date and time convenient to the Court, however no
sooner than sixty (60) days.

27 This Stipulation is entered into for the following reasons:

28 1. The parties require additional time to discuss the potential for a Pre-Indictment
29 negotiations.

1 2. Counsel for the defendant needs additional time to conduct investigation in this
2 for case in order to determine whether there are any issues that must be litigated prior to a
3 preliminary hearing and whether the case will ultimately go to preliminary hearing or will be
4 resolved through negotiations. Specifically, Counsel for the defendant needs additional time
5 for forensic investigation of discovery and to meet with the client to discuss the details prior to
6 proceeding forensic investigation of discovery and meet with the client to discuss the details
7 prior to proceeding.

8 3. The Defendant is in custody and does not object to the continuance.

9 3. Both parties agree to the continuance.

10 4. Additionally, denial of this request for continuance could result in a miscarriage
11 of justice.

12 5. The additional time requested by this stipulation is excludable in computing the
13 time within which the defendant must be indicted and the trial herein must commence pursuant
14 to the Speedy Trial Act, 18 U.S.C. §§ 3161(b) and 3161(h)(8)(A), considering the factors under
15 18 U.S.C. § 3161(h)(8)(B)(i) and (iv).

16 This is the fourth request for continuance filed herein.

17 DATED this 19th day of July, 2019.

19 RENE L. VALLADARES
20 Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

21 /s/ *Rebecca A. Levy*
22 By _____
23 REBECCA A. LEVY
24 Assistant Federal Public Defender

25 /s/ *Christopher Burton*
26 By _____
27 CHRISTOPHER BURTON
28 Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
JIMMY CARTER KIM,
Defendant.

Case No. 2:18-mj-00836-CWH

ORDER

V.

JIMMY CARTER KIM,
Defendant

Defendant.

Based on the Stipulation of counsel, good cause appearing therefore:

IT IS HEREBY ORDERED that the Preliminary Hearing currently scheduled on Friday, July 19, 2019 at the hour of 4:00 p.m., be vacated and continued to September 20, 2019 at the hour of 4:00 p.m.

DATED this 19 day of July, 2019.



UNITED STATES MAGISTRATE JUDGE